

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1-22 are pending in this application. Claims 1, 2, 5, 6, 9, 10 and 22 stand rejected. Claim 21 is allowed. Claims 3-4, 7-8 and 11-20 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Initially, it is noted that claim 1 has been amended to correct a minor typographical error by changing “stage” to --state--.

Claim Rejections – 35 U.S.C. §103

Claims 1-2 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Ohta et al.** (USP 5,579,121) in view of **Tsukagoshi** (US Patent Publication No. 2003/0095600). Claims 5-6 and 9-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Ohta et al.** in view of **Tsukagoshi** as applied to claim 1 above, and further in view of **Kasprzyk et al.** (USP 6,016,557). For the reasons set forth in detail below, these rejections are respectfully traversed.

As will be discussed in detail below, it is respectfully submitted that neither **Ohta et al.** nor **Tsukagoshi** disclose or suggest the claimed “*receiving condition reporting means for reporting by at least one of video and audio that the receiving condition is degraded in a state where a degradation of the receiving condition of the broadcasting wave has not exceeded an error correctable range*”, as recited in independent claim 1.

Ohta et al. disclose a real-time image compression processor that performs real-time compression processing of a video signal being reproduced from a VTR (video tape recorder) or the like. The real-time image compression processor includes circuitry for determining (1) a degree of **degradation** of the S/N of a demodulated video signal with respect to the S/N of the video signal reproduced from the VTR 1 (see col. 4, lines 1-10), and (2) a degree of **degradation** of an image displayed on the basis of a demodulated video signal with respect to an image displayed based on a video signal from the VTR (see col. 4, lines 11-23).

More specifically, as shown in Fig. 3, a video signal reproduced from a VTR 1 is supplied to a television monitor 5, S/N measurement circuit 6, pre-encoder 7 and delay circuit 8, respectively. The pre-encoder 7 compressively encodes image information in accordance with the MPEG system. A decoder 10 demodulates the compressed video signal that has been compressively encoded by the pre-encoder 7, and supplies the demodulated signal to the S/N measurement circuit 6 and to a television monitor 12, respectively.

As described in col. 4, lines 1-10, “The S/N measurement circuit 6 measures *the S/N of the video signal reproduced from the VTR 1*, and *the S/N of the video signal demodulated by the decoder 10*, respectively, and *obtains the degree of degradation* of the S/N value of the demodulated video signal with respect to the S/N of the video signal reproduced from the VTR 1. For example, the video signal reproduced from the VTR 1 is compared with the demodulated video signal by the decoder 10 to obtain a differential value between these video signals, and supplies it to the controller 11 as an *S/N degradation signal*.”

Further, as described in col. 4, lines 15-23, “An image comparator 13 compares each of the displayed images of the TV monitors 5 and 12, and obtains *the degree of degradation of the displayed image on the TV monitor 12 with respect to the displayed image on the TV monitor 5* (the extent to which the image is distorted in blocks, for instance), thus supplying to the controller 11 an image degradation signal corresponding to *the degree of the image degradation.*”

Because **Ohta et al.** relates to a video signal reproduced from a VCR, the Examiner applies the **Tsukagoshi** reference to teach a digital satellite broadcasting receiver that receives a broadcasting program encoded using an MPEG system.

Ohta et al. do not disclose or suggest the claimed “*receiving condition reporting means for reporting by at least one of video and audio that the receiving condition is degraded in a state where a degradation of the receiving condition of the broadcasting wave has not exceeded an error correctable range*”, as recited in independent claim 1. Further, **Ohta et al.** do not disclose or suggest the claimed “*a first path for introducing a signal inputted with a report signal representing a degradation of a receiving condition of a broadcasting wave to a video display or to an audio output unit*”, as recited in independent claim 22.

The Examiner asserts that **Ohta et al.** discloses the claimed “receiving condition reporting means...” as the television monitors 5, 12, comparator 13, rate checker 9 and controller 11 (see Office Action, page 3, lines 3-6). However, unlike the invention recited in claim 1, **Ohta et al.** is completely silent regarding the degradation signal supplied from the comparator 13 to the controller 11, which reports the degradation, being a video or audio signal. Further, unlike the

invention recited in claim 22, **Ohta et al.** is completely silent regarding the degradation signal supplied from the comparator 13 to the controller 11, which represents the degradation, being introduced to a video display or audio output unit.

As described above, the controller 11 of **Ohta et al.** is supplied with an S/N degradation signal from the S/N measurement circuit 6, and an image degradation signal corresponding to the degree of image degradation from the image comparator 13. However, **Ohta et al.** simply state that the comparator 13 provides an image quality degradation signal (see, e.g., col. 5, lines 58-63). There is no teaching in the **Ohta et al.** reference to suggest that this image quality degradation signal from comparator 13 is a video signal or an audio signal that reports that the receiving condition is degraded. Further, there is no teaching in the **Ohta et al.** reference to suggest that the degradation signal from comparator 13 is introduced to a video display or audio output unit.

Further, the **Tsukagoshi et al.** and **Kasprzyk et al.** references do not alleviate the above-described deficiencies in **Ohta et al.**

In view of the above remarks, it is respectfully submitted that independent claim 1 and claims 2, 5-6 and 9-10 patentably distinguish over the cited prior art and define allowable subject matter. Reconsideration and withdrawal of the rejections under §103 are respectfully requested.

Application No. 09/930,129
Art Unit: 2611

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 042204

CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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